

REMARKS**I. INITIAL REMARKS**

In response to the Examiner's rejection of claims 1, 3-5 under 35 U.S.C. §103(a) as unpatentable over Baxley *et al.*, U.S. Publication No. 2004/0085913 (hereinafter "Baxley"), in view of Kung *et al.*, U.S. Patent No. 6,671,262 (hereinafter "Kung") Applicants have amended claims 1, 3-5 and present the following arguments. No new matter has been added.

In light of the current amendments and comments that follow, the rejections in the August 30, 2006 Office Action have been overcome and should be withdrawn.

II. THE EXAMINER'S REJECTIONS

The Examiner has rejected claims 1, 3-5 under 35 U.S.C. §103(a), as being unpatentable over Baxley in view of Kung. The Examiner cites Baxley as teaching elements (3) – (7) of claims 1, 3, and 5. However, the Examiner concedes that Baxley teaches a single server, serving as both a packet-switch and a circuit-switch conferencing server but fails to teach multiple servers performing such a function:

Baxley's teachings provide an efficient system of a single server performing the functions of two servers, i.e. packet-switched and circuit-switched. Office Action dated August 30, 2006, page 2.

Moreover, according to the Examiner's own admission the teachings of Kung do not disclose separate packet-switched and circuit-switched servers, and are merely cited to show that a conferencing server maybe independent from another conferencing server:

While Kung does not explicitly teach of independent packet-switched and circuit switched servers, King[sic] does teach of establishing connections between independent conferencing servers and forwarding audio packets

between independent conferencing servers. Office Action dated August 30, 2006, page 3.

The Examiner then suggested that it would have been obvious for one of
5 ordinary skill in the art to combine Baxley and Kung:

It would have been obvious for one of ordinary skill in the art at the time
the invention was made to combine the teachings of Baxley and Kung to
have independent conferencing servers, i.e. packet-switched and circuit
switched servers, communicating with each other because implementing
10 independent conferencing servers would distribute the load of a server and
offload processing power of a server... Office Action dated August 30,
2006, page 3.

15 III. THE EXAMINER'S REJECTIONS SHOULD BE WITHDRAWN

The Examiner has rejected claims 1, 3-5 under 35 U.S.C. §103(a), as being
unpatentable over Baxley in view of Kung. Applicants respectfully disagree and submit
that none of the claims are rendered obvious in view of the cited references and in light of
the amendments which further clarify the matter taught in the claims.

20 According to currently amended independent claims 1, 3-5 the present invention
provides methods and systems for linking a first plurality of clients connected to a
packet-switched conferencing server to a second plurality of clients connected to a
circuit-switched conferencing server comprising essentially the elements: (a) establishing
a connection between the packet-switched conferencing server and the circuit-switched
25 conferencing server; (b) designating the connection as an active speaker; (c) receiving, by
the circuit-switched conferencing server, a plurality of audio packets, wherein the
plurality of audio packets comprises a first audio packet from each of the second plurality
of clients who have been designated as an active speaker by the circuit-switched

conferencing server; (d) receiving, by the packet-switched conferencing server, a plurality of audio packets, wherein the plurality of audio packets comprises a second audio packet from each of the first plurality of clients who have been designated as an active speaker by the packet-switched conferencing server; and wherein the audio packets are received asynchronously (e) forwarding, over the connection, the first audio packet to the packet-switched conferencing server; (f) forwarding, over the connection, the second audio packet to the circuit-switched conferencing server; (g) whereby the first and second plurality of clients, using varying equipment and protocols, can simultaneously participate in a single audio conference application; and (h) whereby the packet-switched conferencing server is independent from the circuit-switched conferencing server.

In contrast, Baxley discloses an audio conference method in a hybrid network where input from packet-switched clients and circuits-switched clients connected to an audio conference is received by a single server acting as both, a packet-switched conferencing server and a circuit-switch conferencing server. However, Baxley fails to teach or fairly suggest that audio packets received by packet-switch conferencing server are to be sent asynchronously. Furthermore, since the two types of servers are not independent in the Baxley system, Baxley is neither concerned with nor addresses the transmission methods used for packets as is done between two independent servers. Therefore the distinct and novel transmission method of the present invention was neither taught nor suggested by the Baxley publication.

Kung fails to teach a method of linking a first plurality of clients connected to a packet-switched conferencing server to a second plurality of clients connected to a circuit-switched conferencing server whereby the first and second plurality of clients can

simultaneously participate in a single audio conference application and whereby the packet-switched conferencing server is independent from the circuit-switched conferencing server. Furthermore, the unique and novel transmission method of the present invention was neither taught nor suggested by Kung. In addition Kung fails to
5 teach or fairly suggest that audio packets received by packet-switch conferencing server are to be sent asynchronously.

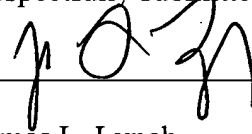
Upon reconsideration, the Examiner will undoubtedly recognize that Baxley and Kung individually and in combination fail to disclose the present invention as provided in amended independent claims 1, 3-5. In addition, none of these references, alone or in
10 combination, disclose methods and systems for linking a first plurality of clients connected to a packet-switched conferencing server to a second plurality of clients connected to a circuit-switched conferencing server whereby the first and second plurality of clients can simultaneously participate in a single audio conference application and whereby the packet-switched conferencing server is independent from the circuit-
15 switched conferencing server as required by amended independent claims 1, 3-5. Furthermore, it is abundantly clear that neither of the references, in anyway, alludes to nor mentions the novel transmission method of the present invention; moreover neither of the cited references teaches or suggests that audio packets received by packet-switch conferencing server are to be sent asynchronously. Since it is black letter law that
20 references, either alone or in combination, used in a 35 USC §103(a) rejection must teach or suggest each and every claim limitation (MPEP § 2143-2143.03), Applicants respectfully submit that the Examiner's rejection under 35 U.S.C. § 103 is improper and should be withdrawn. As such, independent claims 1, 3-5 are in condition for allowance.

IV. CONCLUSION

Applicant submits that pending independent claims 1, 3-5 represent a patentable contribution to the art and is in condition for allowance. Early and favorable action is
5 accordingly solicited.

Date 11-30-2006

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'J. Lynch', is written over a horizontal line.

James L. Lynch
Reg. No. 54,763
WARD & OLIVO
382 Springfield Avenue
Summit, New Jersey 07901
(908) 277-3333